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10/665,244	09/20/2003	Sheldon Kasower	MIGHT NET- CREDITWATCH	6969
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SHAIKH, MOHAMMAD Z				
MARC E. HANKIN, ESQ. 11414 THURSTON CIRCLE LOS ANGELES, CA 90049			ART UNIT	PAPER NUMBER
			3696	
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			05/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/665,244

Applicant(s)

KASOWER, SHELDON

Examiner

MOHAMMAD Z. SHAIKH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to an AMENDMENT entered on 03/06/08 for patent application 10/665,244.

Status of Claims

2. Claims 1-17 are pending in this application.
3. Claims 1-11 have been amended without prejudice or disclaimer.

Claim Rejections- 35 U.S.C § 102

4. Examiner is withdrawing the 102(b) rejection for claims 1-2, 6-8.

Claim Rejection- 35 U.S.C § 103

4. Applicant's arguments with respect to claims 1-2, 6-8 have been considered but are moot in view of the new ground(s) of rejection.
5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1 is being rejected under 35 U.S.C 103(a) as being unpatentable over view of PR Newswire, "Consumers Gain Immediate and Full Access to Credit Score Used by Majority of U.S Lenders", herein referred to as PR Newswire.

Regarding claim 1, PR Newswire discloses a method for on-line monitoring and control of credit information of a consumer of credit an individual on a computer (page 1: paragraphs 2 & 4), the method comprising: providing an on-line consumer credit

information management system that allows the consumer to log onto the on-line consumer credit information management system by means of a computer (page1: paragraph 5); the on-line consumer credit information management system accessing and retrieving credit information of the consumer from a database of a credit reporting bureau that contains credit information of the consumer as reported to the credit reporting bureau by one or more credit grantors (page 2: paragraph 3); the on-line consumer credit information management system providing the retrieved credit information to the consumer via the computer (page 1: paragraph 5). However PR Newswire does not disclose the on-line consumer credit information management system providing the consumer the ability to communicate directly with the one or more credit grantors regarding the retrieved credit information. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include the on-line consumer credit information management system providing the consumer the ability to communicate directly with the one or more credit grantors regarding the retrieved credit information. One of ordinary skill in the art would have been motivated to include the on-line consumer credit information management system providing the consumer the ability to communicate directly with the one or more credit grantors regarding the retrieved credit information in order to ensure that the consumer also has the ability to resolve their credit discrepancies by themselves. Further, for example, if a consumer notices a discrepancy on their financial statement they have received from a credit grantor entity, they will themselves contact

the customer service (1-800#) and resolve any discrepancies in their statements themselves.

7. Claims 2-5, 12-13 are being rejected under 35 U.S.C 103(a) as being unpatentable over PR Newswire in view of U.S Patent 6,311,169 to Duhon.

Regarding claim 2, PR Newswire discloses the method as set forth in claim 1. However PR Newswire does not disclose wherein the retrieved credit information is at least one credit report. Duhon discloses wherein the retrieved credit information is at least one credit report (Fig 5; column 3: lines 9-10). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include wherein the retrieved credit information is at least one credit report. One of ordinary skill in the art would have been motivated to include wherein the retrieved credit information is at least one credit report in order to ensure that the consumer receives all pertinent information contained in their credit report.

Regarding claim 3, PR Newswire discloses the method as set forth in claim 2. However PR Newswire disclose including the on-line consumer credit information management system computing the consumers credit scored based upon the at least one credit report. Duhon discloses including the on-line consumer credit information management system computing the consumers credit scored based upon the at least one credit report (column 11, lines 62-67; column 12: lines 1-6). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include the on-line consumer credit information

management system computing the consumers credit scored based upon the at least one credit report in order to ensure that the correct credit score is recorded.

Regarding claim 4, PR Newswire discloses the method as set forth in claim 3. However PR Newswire does not disclose wherein the on-line consumer credit information management system provides the at least one credit report and the credit score to the consumer via the computer. Duhon discloses wherein the on-line consumer credit information management system provides the at least one credit report and the credit score to the consumer via the computer (Fig 3 & 5). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include wherein the on-line consumer credit information management system provides the at least one credit report and the credit score to the consumer via the computer in order to ensure that the consumer receives their credit information as quickly as possible.

Regarding claim 5, PR Newswire discloses the method as set forth in claim 3. However PR Newswire does not disclose including the on-line consumer credit information management system archiving the at least one credit report and the credit score. Duhon discloses including the on-line consumer credit information management system archiving the at least one credit report and the credit score (Fig 15; column 4, lines 61-63). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include the on-line consumer credit information management system archiving the at least one credit report

and the credit score in order to ensure that the consumer can access previous credit reports and be able to track their credit history.

Claims 12 & 13 are being rejected using the same rationale as claim 5.

8. Claims 6-8 are being rejected under 35 U.S.C. 103(a) as being unpatentable over PR Newswire in view of U.S. Patent 7,028,052 to Chapman et al, herein referred to as Chapman.

Regarding claim 6, PR Newswire discloses the method as set forth in claim 1. However PR Newswire does not disclose wherein the retrieved credit information is at least one credit report and wherein accessing and retrieving the consumer's credit information includes the on-line consumer credit information management system accessing the database of the credit reporting bureau on a periodic basis to obtain credit reports; and the on-line consumer credit information management system determining changes in the credit reports. Chapman discloses wherein the retrieved credit information is at least one credit report and wherein accessing and retrieving the consumer's credit information includes the on-line consumer credit information management system accessing the database of the credit reporting bureau on a periodic basis to obtain credit reports; and the on-line consumer credit information management system determining changes in the credit reports (column 5, lines 31-40). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include wherein the retrieved credit information is at least one credit report and wherein accessing and retrieving the consumer's credit information includes the on-line consumer credit information

management system accessing the database of the credit reporting bureau on a periodic basis to obtain credit reports; and the on-line consumer credit information management system determining changes in the credit reports in order to ensure that the consumer's credit is protected at all times.

Regarding claim 7, PR Newswire discloses the method as set forth in claim 6. PR Newswire further discloses including the on-line consumer credit information management system creating an alert based on the changes in the credit reports (page 2: paragraph 3).

Claim 8 is being rejected using the same rationale as claim 7.

9. Claim 9 are being rejected under 35 U.S.C 103(a) as being unpatentable over PR Newswire in view Chapman and further in view of Duhon.

Regarding claim 9, PR Newswire discloses the method as set forth in claim 6. However PR Newswire does not disclose the on-line consumer credit information management system archiving the credit reports. Duhon discloses the on-line consumer credit information management system archiving the credit reports (column 4, lines 61-63). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include the on-line consumer credit information management system archiving the credit reports. One of ordinary skill in the art would have been motivated to include the on-line consumer credit information management system archiving the credit reports in order to ensure that the consumer can access previous credit reports and be able to track their credit history.

10. Claim 10 is being rejected under 35 U.S.C 103(a) as being unpatentable over PR Newswire in view of Chapman and further in view of US 2002/0173994 to Ferguson III.

Regarding claim 10, PR Newswire discloses the method as set forth in claim 1. However PR Newswire does not disclose the on-line consumer credit information management system allowing the consumer to report an identity theft via the on-line consumer credit information management system; the on-line consumer credit information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line consumer credit information management system providing the completed forms to the selected organizations.

Chapman discloses the on-line consumer credit information management system allowing the consumer to report an identity theft via the on-line consumer credit information management system (column 11, lines 61-67; column 12: lines 1-18). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include the on-line consumer credit information management system allowing the consumer to report an identity theft via the on-line consumer credit information management system in order to ensure that the consumer's credit is protected at all times. Ferguson III discloses the on-line consumer credit information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line

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consumer credit information management system providing the completed forms to the selected organizations (Fig F: F5, F10, F12, F20, F14, F18, F28, F29). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include the on-line consumer credit information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line consumer credit information management system providing the completed forms to the selected organizations in order to ensure that the consumers credit is restored as soon as possible before irreparable harm is done.

11. Claim 11 is being rejected under 35 U.S.C 103(a) as being unpatentable over PR Newswire in view of Hudock.

Regarding claim 11, PR Newswire discloses the method as set forth in claim 1. However PR Newswire does not disclose the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and the on-line consumer credit information management system providing the expected interest rates to the consumer. Hudock discloses the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and

the on-line consumer credit information management system providing the expected interest rates to the consumer (Abstract, [0050], [0053]). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify

PR Newswire's invention to include the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and the on-line consumer credit information management system providing the expected interest rates to the consumer in order to ensure that the consumer receives the best interest rate as it relates to their credit score.

12. Claims 14-17 are being rejected under 35 U.S.C 103(a) as being unpatentable over PR Newswire in view of Duhon and Chapman and further in view of US 2004/0111359 to Hudock

Regarding claim 14, PR Newswire discloses a method for on-line monitoring and control of credit information of a consumer of credit comprising (page 1: paragraphs 2 & 4), comprising: providing an on-line consumer credit information management system that allows the consumer to log onto the on-line consumer credit information management system by means of a computer (page1: paragraph 5). PR Newswire further discloses the on-line consumer credit information management system allowing the consumer to select at least two or more of the following services offered by the on-line consumer credit information management system: obtaining credit reports and/or scores; monitoring credit (page 1, paragraphs 1, 2; page 2: paragraph 3). However PR Newswire does not disclose identity theft reporting; compute interest rates; and access

credit information archived by the on-line consumer credit information management system. Chapman discloses identity theft reporting (column 11: lines 61-67; column 12: lines 1-18). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include identity theft reporting in order to ensure that the consumer can inform the appropriate authorities as soon as possible before irreparable harm is done. Hudock discloses computing interest rates (Abstract, [0050]). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include computing interest rates in order to ensure that the consumer receives the best possible interest rate as it pertains to their credit score. Duhon discloses accessing credit information archived by the on-line consumer credit information management system (column 4, lines 60-62; Fig 15) Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include accessing credit information archived by the on-line consumer credit information management system in order to ensure that the consumer can access previous credit reports and be able to track their credit history.

Regarding claim 15, PR Newswire discloses the method of claim 14. However PR Newswire does not disclose comprising the on-line consumer credit information management system providing credit information of the consumer to the consumer's computer based on one of the services selected by the consumer. Duhon discloses comprising the on-line consumer credit information management system providing credit information of the consumer to the consumer's computer based on one of the

services selected by the consumer (column 3, lines 4-6). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include the on-line consumer credit information management system providing credit information of the consumer to the consumer's computer based on one of the services selected by the consumer in order to ensure that the consumer has access to all the services offered by the credit management system.

Regarding claim 16, PR Newswire discloses the method of claim 15. However PR Newswire does not disclose comprising the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include comprising the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors. One of ordinary skill in the art would have been motivated to include comprising the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors in order to ensure that the consumer also has the ability to resolve their credit discrepancies by themselves. Further, for example, if a consumer notices a discrepancy on their financial statement they have received from a credit grantor entity, they will themselves contact the customer service (1-800#) and resolve any discrepancies in their statements themselves.

Regarding claim 17, PR Newswire discloses the method of claim 15. However PR Newswire does not disclose comprising the comprising the on-line consumer credit information management system communicating with a database of a credit reporting bureau that contains credit information of the consumer as reported to the credit reporting bureau by one or more credit grantors. Duhon discloses comprising the comprising the on-line consumer credit information management system communicating with a database of a credit reporting bureau that contains credit information of the consumer as reported to the credit reporting bureau by one or more credit grantors (column 2, lines 31-47). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify PR Newswire's invention to include comprising the comprising the on-line consumer credit information management system communicating with a database of a credit reporting bureau that contains credit information of the consumer as reported to the credit reporting bureau by one or more credit grantors in order to make the sure that the credit information reported is current and correct.

Response to Arguments

Applicant's arguments, with regards to amended claims 1-11, which have been amended without prejudice or disclaimer filed on 03/06/08 have been fully considered but are not persuasive.

On page 6, Applicant argues that with regards to claim 1, Chapman does not disclose a method as claimed that include providing an on-line consumer credit information management system that accesses and retrieves credit information of a consumer from a database of a credit reporting bureau that contains credit information of the consumer as reported by one or more credit grantors. However, the PR Newswire reference does teach this limitation (pages: 1 & 2). On page 2, applicant argues that the consumer communicates directly with the one or more credit grantors. However, as explained in the 103 rejection, one of ordinary skill in the art would have been motivated to include comprising the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors in order to ensure that the consumer also has the ability to resolve their credit discrepancies by themselves. Further, for example, if a consumer notices a discrepancy on their financial statement they have received from a credit grantor entity, they will themselves contact the customer service (1-800#) and resolve any discrepancies in their statements themselves. Regarding claim 6, applicant argues that Chapman does not disclose an on-line consumer credit information management system that creates the alert and sends it to the individual. However PR Newswire does disclose an on-line consumer credit information management system that creates the

alert and sends it to the individual (page2: paragraph 3). Regarding claims 7&8, applicant argues that Chapman does not disclose an online consumer credit information credit information management system that creates the alert and sends it to the individual. However Chapman does disclose this feature (column 5, lines 31-40). One page 8, applicant argues regarding claims 3&4 that Brock does not teach a system that computes the consumer's credit score. Duhon discloses a system that computes the consumers credit score (column 11: lines 62-67; column 12: lines 1-6). Regarding claim 5, Duhon discloses the on-line consumer credit information management system archiving the at least one credit report and the credit score (Fig 15; col 4: lines 61-63). Claim 9 is rejected using the same rationale as claim 5. Regarding claim 10, Ferguson III discloses the on-line consumer credit information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line consumer credit information management system providing the completed forms to the selected organizations (Fig F: F5, F10, F12, F20, F14, F18, F28, F29). Regarding claim 11, Hudock discloses the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and the on-line consumer credit information management system providing the expected interest rates to the consumer (Abstract, [0050], [0053]). Regarding claim 12&13, they are being rejected using the same rationale as claim 5. Claims 14-17 are being rejected using the combination of PR Newswire in view of Duhon and Chapman

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and further in view of US 2004/0111359 to Hudock. Therefore, in view of the above reasons, Examiner maintains the rejections.

CONCLUSION

Applicant's amendment necessitate the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MOHAMMAD Z. SHAIKH** whose telephone number is (571)270-3444. The examiner can normally be reached on Monday-Friday (7:30-5); alt Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. Z. S./
Examiner, Art Unit 3696
5/12/2008

/Daniel S Felten/

Primary Examiner, Art Unit 3696